

May 30, 2019

Via Email

Cllr. T. Negbalee Warner
Chairman of the Special Investigative Panel
Liberian Advisory Board of More Than Me
negbalee@yahoo.com

Scott Hervey
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Re: Investigative Report by Special Investigative Panel

Cllr. Warner:

This law firm is counsel to Scipione “Skip” Borghese. We are in receipt of your email dated May 16, 2019 to Mr. Borghese, and the subsequent email correspondence between you and Mr. Borghese. On behalf of Mr. Borghese, this letter will serve as a response to your request for information contained therein.

In your email, you identify three conclusions reached by the Special Investigative Panel (the “Panel”) and eight questions regarding the actions by More Than Me (“MTM”) after the horrific conduct of Macintosh Johnson came to light.

Before responding to your particular questions, it is important for you to understand Mr. Borghese’s role in MTM. As you are aware, Mr. Borghese was a board member of MTM – one of about 15 individuals who have served in that capacity. He was asked to serve on the board by MTM officials in order to boost MTM’s fundraising and help raise awareness of the critical mission MTM is and was serving. Mr. Borghese believes that his expertise in this area was a great boon to MTM, and provided substantial additional resources for MTM to continue its important work. He was not involved in the day-to-day operations in Liberia. He simply believed in the cause and wanted to help MTM help as many people as possible.

At the time that the criminal actions of Mr. Johnson came to light, Mr. Borghese was a board member. He was not the Chairman of the Board. He had no more power or authority than any other board member. While he was involved in many discussions regarding MTM’s response, he did not control MTM’s actions.

When MTM learned in May of 2016 that Cyrus Cooper had molested a female student, Mr. Borghese was still simply a board member.

Mr. Borghese was elected interim Chairman of the Board in November of 2016, more than two years after Mr. Johnson’s actions were uncovered, and about six months after

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Mr. Cooper's actions were revealed. A number of board members had departed, and a large share of the operations of MTM had shifted to Liberia by this time. This was always intended to be a temporary position and Mr. Borghese was never actually elected as Chairman, remaining an interim Chairman until his resignation in October of 2018.

We believe that the Panel is laboring under the mistaken conclusion that Mr. Borghese was somehow "in charge" of MTM during the relevant periods. This is simply incorrect.

As a result, your conclusions are based on the faulty premise that Mr. Borghese was in control of MTM. He was not. We trust that, with the clarity provided above, you will revise your conclusions in order to fit the actual facts of the matter.

As to your particular questions addressed to Mr. Borghese, you first ask about the purported statement from Michelle Spada that Mr. Borghese told her to "think about how to protect the organization" and to "get off [her] fucking soapbox." This statement is simply impossible.

At no time did Mr. Borghese speak to Ms. Spada alone regarding Mr. Johnson.

At no time did Mr. Borghese tell her to put the organization MTM ahead of Mr. Johnson's victims, or to "get off your fucking soapbox."

The first time that Mr. Borghese spoke with Ms. Spada regarding Mr. Johnson's crimes was at approximately 6 p.m. EST on June 16, 2014 during a conference call with MTM board members and staff. This was not a one-on-one call between Ms. Spada and Mr. Borghese. Numerous participants were on the call, none of whom heard our client make the statements you attribute to him. Mr. Borghese's email and phone records likewise evidence zero other communication between him and Ms. Spada. If asked, Ms. Spada would be unable to refute this. Furthermore, Mr. Borghese was not in Liberia at the time of the alleged conversation (a fact easily confirmed by immigration records), making phone or email communication the only possible means of conversing with Ms. Spada. We do not know if you have attempted to reach out to the other board members on the call that day, but we encourage you to do so. There were witnesses to this conversation who could shed light on Mr. Borghese's statements.

At the time of the call, Mr. Johnson had already been arrested. Therefore, it is impossible that Mr. Borghese rebuked Ms. Spada when she raised the issue of "reporting the matter to the police," since the *matter had already been reported*.

It is Mr. Borghese's recollection that meeting minutes were drafted for this call.

We are also unaware of whether you have spoken with Ms. Spada concerning these statements reportedly made to her. Mr. Borghese believes that she was actually satisfied with MTM's response to this tragic situation. In fact, she would later describe MTM's handling of

the matter as “BY THE BOOK” (emphasis hers). We believe you already have a copy of this email by Ms. Spada. If you do not have a copy, let us know and we can provide you with a copy. We encourage you to fully investigate this reported statement before publishing such an inflammatory and false accusation against our client.

Your second question to Mr. Borghese asks whether he, “as Chairman of the Board,” convened a board meeting to discuss Mr. Johnson’s crimes. As discussed herein, Mr. Borghese was not the Chairman of the Board and did not have the authority to convene meetings. The call described above was the first board meeting he is aware of concerning Mr. Johnson’s crimes. It is Mr. Borghese’s recollection that the initial conversation focused on fact gathering, identifying Mr. Johnson’s victims and determining how best to support them, the protection of the other students, and collecting evidence which would allow criminal authorities to prosecute Mr. Johnson. Shortly thereafter, MTM issued a press release, making the situation public, and advised multiple Liberian government officials of the situation.

Your third question relates to the retention of Ms. Sarah Lenti. Mr. Borghese recalls that the cost of her retention was small, and below the threshold which required board approval to retain her. He does not recall the specifics of her retention.

Your fourth and fifth questions relate to the drafting, approval, and content of the press release dated June 20, 2014. Mr. Borghese was not involved in the actual drafting of the press release. As to Mr. Johnson’s formal title within the MTM organization, Mr. Borghese was not aware of Mr. Johnson’s title.

Your sixth question relates to the criminal prosecution of Mr. Johnson. Mr. Borghese’s recollection is that he received updates on the prosecution through updates provided to the board. He is not aware that anyone at MTM refused to participate in the criminal investigation. He believes that MTM was cooperative, transparent, and supportive.

Your seventh question relates to an email sent by Saul Garlick on July 8, 2016. Mr. Borghese does not recall responding to Mr. Garlick’s email, and does not have record of any other written response. He recalls this being a process that was discussed by phone.

Your eighth and final question relates to the response to Mr. Cooper’s crimes. Mr. Borghese’s recollection is that there was a board meeting shortly after his crimes came to light and that MTM retained local legal counsel, Cllr. Gongloe, and followed counsel’s directives.

We do not believe that we have a current copy of the Report prepared by the Panel. We would appreciate it if you would provide us with a copy so that we may address the allegations contained therein. We would also appreciate it if you would provide us with a

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copy of any further revisions to the Report, so that we may comment on the revisions before the Report is published.

Your work is extremely important and necessary in order for MTM and its students to heal. Mr. Borghese thanks you for your commitment to seeking the truth, and hopes that he has provided information which will allow you to find it.

Please feel free to contact us regarding this matter, or if you have any further questions regarding the facts set forth above.

Sincerely,

weintraub|tobin
law corporation

A handwritten signature in black ink that reads "Scott M. Hervey". The signature is fluid and cursive, with "Scott" and "M." on the first line and "Hervey" on the second line.

Scott Hervey

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